



STATE OF NEW JERSEY
DEPARTMENT OF PERSONNEL

JON S. CORZINE
GOVERNOR

ROLANDO TORRES, JR.
COMMISSIONER

Merit System Board

**MINUTES OF REGULAR MEETING OF
THE MERIT SYSTEM BOARD
September 6, 2006**

**Rolando Torres, Jr., Chairman
Flavella Branham
John Currie
Margaret E.L. Howard
Robert Long**

SEPTEMBER 6, 2006

A regular meeting of the Merit System Board was held on Wednesday September 6, 2006, in Trenton, New Jersey.

PRESENT: Chairman Rolando Torres, Jr., Merit System Board Members, John Currie, Flavella Branham, Margaret E. L. Howard and Robert Long; Pamela Ullman, Deputy Attorney General; and Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Chairman Rolando Torres Jr., opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on December 12, 2005, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

STATE

The Merit System Board recorded the recommended changes in the State Classification Plan, copies of which are attached hereto and made a part hereof.

DATE: August 16, 2006

TO: Rolando Torres, Jr., Commissioner
Department of Personnel

FROM: Elizabeth Van Marter, Director
Human Resource Management

SUBJECT: Change in the State Classification Plan

DEPARTMENT OF HEALTH AND SENIOR SERVICES

The Department of Health and Senior Services requests the restructuring of the Clinical Laboratory Evaluator title series, which has responsibility for the licensure, certification and inspection of blood banks and/or clinical laboratories performing testing of bodily specimens in one or more of the various scientific disciplines of medical technology.

This restructuring involves the renaming of all levels in the series, the elimination of one title, the creation of one new title and two bargaining unit changes.

The above actions will assist the Department to recruit and hire experienced laboratory testing personnel who will require limited orientation and training and further distinguish responsibilities between the titles while providing increased opportunities for promotional advancement when indicated.

The appropriate negotiations representatives were notified of this request. The bargaining units were established by the Office of Employee Relations.

ESTABLISHMENT OF NEW TITLE

Effective: 04-30-05

Clinical Laboratory Evaluator 4
S29-_____ Career K NL/12

TITLE VERBIAGE CHANGE

Effective: 04-30-05

FROM:

Clinical Laboratory Evaluator 2
P22-01783 Career K NE/12

TO:

Clinical Laboratory Evaluator 1
P22-01783 Career K NE/12

TITLE VERBIAGE AND BARGAINING UNIT CHANGE

Effective: 04-30-05

FROM:

Clinical Laboratory Evaluator 1
R25-01784 Career K NL/12

TO:

Clinical Laboratory Evaluator 2
P25-01784 Career K NL/12

Supervising Clinical Evaluator
S27-01785 Career K NL/12

Clinical Laboratory Evaluator 3
R27-01785 Career K NL/12

TITLE ELIMINATION

Effective 04-30-05

Assistant Clinical Laboratory Evaluator
P19-01782 Career K NE/12

EVM/JMM

CONFIDENTIAL APPOINTMENTS

The Merit System Board recorded the following Confidential Appointments under N.J.S.A. 11A:3-4(h):

Susan L. Williams, appointed as a Confidential Secretary, Board of Public Utilities, effective August 7, 2006, salary of \$40,000.00 per annum.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Shakima Bacon
Newark School District
Removal

In the Matter of Sandra Burgos
City of Jersey City
Police Department
Removal

In the Matter of Christopher A. Burke
County of Burlington
County Jail
Removal

In the Matter of Gregory Ezekian
Borough of Alpha
Police Department
Release at the end of the working test period

In the Matter of Sonia Giron
City of Jersey City
Police Department
Removal

In the Matter of Michael Guarino
City of Elizabeth
Recreation Department
Suspension

In the Matter of Crystal Leake
County of Essex
Department of Corrections
Suspension and Demotion

In the Matter of Fatima McGriff
County of Hudson
Department of Corrections
Resignation not in good standing

In the Matter of Mary Payne
County of Union
Department of the County Clerk
Removal

In the Matter of Louis Scott
County of Burlington
Department of Housing and Community Development
Suspension

In the Matter of Phyllis Shider
County of Hudson
Department of the County Surrogate
Release at the end of the working test period

RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE ABOVE CASES – SETTLEMENT

ACTION: The Merit System Board acknowledged the settlements.

A-2 WALTER F. KOWALCZYK

Walter F. Kowalczyk, Sheriff's Officer, County of Mercer, Sheriff's Office, release at the end of the working test period effective January 14, 2005.

Recommendation of the Administrative Law Judge – Grant respondent's motion for summary decision and uphold the release at the end of the working test period.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-3 JAMES JOHNSON

James Johnson, Automotive Mechanic, Department of Transportation, removal effective May 13, 2005 on the charge of violation of Federal regulations concerning drug and alcohol use.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-4 RAYMOND RICCIARDI

Raymond Ricciardi, Jr., Public Works Repairer, Borough of Hopatcong, Department of Public Works, removal effective January 18, 2005, on the charge of violation of Federal regulations concerning drug use and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-5 RANDY SANDIFER

Randy Sandifer, Police Officer, City of Jersey City, Police Department, 49-day suspension and removal effective February 4, 2005, on charges of violation of rules and regulations and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Modify the 49-day suspension and removal to a 60-day suspension.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to a six-month suspension.

A-6 JAMES WALTER

James Walter, Human Services Assistant, Hagedorn Psychiatric Hospital, Department of Human Services, removal effective August 10, 2004, on the charge of physical or mental abuse of a patient, client, resident or employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-7 PAUL ANYEJI

Paul Anyeji, Division of Youth and Family Services, Department of Children and Families, removal effective July 7, 2003, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the charges and the removal.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

SECTION B – MISCELLANEOUS MATTERS

B-1 SEAN LEONARD

Sean Leonard, represented by James L. Bosworth, Esq., appeals his rejection as a Police Officer candidate by the City of Hoboken and its request to remove his name from the eligible list for Police Officer on the basis of medical unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be granted.

B-2 MIKLE BRANCH

Mikle Branch, a Senior Correction Officer at South Woods State Prison, Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-3 MARIA M. CUSTY

Maria M. Custy, an Administrative Assistant 3 with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-4 JACK DOOLEY

Jack Dooley, a Senior Correction Officer at South Woods State Prison, Department of Corrections, represented by Arthur L. Marchand, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be denied.

B-5 LINDA FARRELL

Linda Farrell, a Correction Sergeant at Edna Mahan Correctional Facility for Women, Department of Corrections, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-6 GENISE MCMILLAN

Genise McMillan, a Senior Correction Officer with the Department of Corrections, represented by Henry J. Cistrelli, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted in part.

B-7 JOSEPH SOMMERS

Joseph Sommers, a Senior Correction Officer at the Adult Diagnostic and Treatment Center, Department of Corrections, represented by Justin Murphy, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted in part.

B-8 LAMONT WILLIAMS

Lamont Williams, a Storekeeper 2 at Garden State Reception and Youth Correctional Facility, Department of Corrections appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this matter be held over.

B-9 HENRY BELL, JR.

Henry Bell, Jr., represented by Keith O.D. Moses, Esq., appeals the determinations of the Division of Human Resource Information Services (HRIS) which found that the appointing authorities had presented a sufficient basis to remove his name from the eligible list for Sheriff's Officer (S9999D), Hudson County, due to his failure to appear for pre-employment processing and from the eligible list for Correction Officer Recruit (S9999D), Department of Corrections on the basis of an unsatisfactory criminal background. Additionally, the appellant appeals his bypass on the eligible list for County Correction Officer (S9999D), Hudson County.

ACTION: The Merit System Board directed that the appeal of the list bypass be denied. And directed that the appeals of list removals be granted but the appellant's name be reflected on the certifications as having been bypassed.

B-10 MARLON CHILES

Marlon Chiles appeals the decision of Human Resource Information Services (HRIS) which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for County Correction Officer (S9999F), Atlantic County, due to the falsification of his employment application.

ACTION: The Merit System Board directed that this appeal be granted.

B-11 STEVEN DEMARCO

Steven DeMarco appeals the determination of the Division of Human Resource Information Services (HRIS) which found that the appointing authority presented a sufficient basis to remove his name from the eligible list for Correction Officer Recruit (S9999F), Department of Corrections (DOC) due to an unsatisfactory criminal background and failure of the Correction Officer Video Test.

ACTION: The Merit System Board directed that this appeal be denied but that the appellant's name be restored to the eligible list for appropriate titles other than Correction Officer Recruit.

B-12 EDWARD E. FREDERICK SR.

Edward E. Frederick, Sr., a Sanitation Inspector with the City of Atlantic City, requests that his name be reinstated to the certification for Supervisor Sanitation (PM1100B), City of Atlantic City.

ACTION: The Merit System Board denied the request.

B-13 OMAR MCGILL

Omar McGill appeals the determination of the Division of Human Resource Information Services (HRIS) which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Police Officer (S9999F), City of East Orange, due to his unsatisfactory background report.

ACTION: The Merit System Board directed that this appeal be denied.

B-14 JOHNNY LANTIGUA

Johnny Lantigua, represented by Estelle Flynn Lord, Esq., appeals the determination of the Division of Human Resource Information Services (HRIS) which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Police Officer (S9999F), City of Newark, due to his unsatisfactory employment and driving records.

ACTION: The Merit System Board directed that this appeal be denied.

B-15 BRIDGET LORENZO

Bridget Lorenzo appeals the decision of Human Resource Information Services which removed her name from the eligible list for Police Officer (S9999D), Jersey City, based on her failure to meet the residency requirements and an unsatisfactory background report.

ACTION: The Merit System Board directed that this appeal be denied.

B-16 HARRY LUCAS

Harry Lucas appeals the decision of Human Resource Information Services which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Budget Analyst (S0167E), Department of Children and Families, on the basis of his failure to complete preemployment processing.

ACTION: The Merit System Board directed that this appeal be denied.

B-17 GLADYS PEREZ

Gladys Perez, represented by Charles Grossman, Esq., appeals the decision of the City of Newark to remove her name from the Police Officer (S9999A), Newark eligible list on the basis that she was outside the residency scope and for falsification of her preemployment application.

ACTION: The Merit System Board directed that this appeal be granted.

B-18 LEONARD SAFKO

Leonard Safko appeals the determination of the Division of Human Resource Information Services (HRIS) which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Police Officer (S9999F), City of Newark, due to his unsatisfactory criminal background and unsatisfactory employment record.

ACTION: The Merit System Board directed that this appeal be granted.

B-19 SAM J. WATT

Sam J. Watt, represented by Michael H. Schreiber, Esq., appeals the determination of the Division of Human Resource Information Services (HRIS) which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Correction Officer Recruit (S9999F).

ACTION: The Merit System Board directed that this appeal be denied.

B-20 WADE WEST

The Township of Willingboro appeals the decision of Human Resource Information Services restoring the name of Wade West to the Police Officer (S9999F), Township of Willingboro, eligible list.

ACTION: The Merit System Board directed that this appeal be denied.

B-21 LAURA CINTRON

Laura Cintron, a Personnel Aide 1 with Ancora Psychiatric Hospital, Department of Human Services (DHS), appeals the determination of the Assistant Commissioner for Human Resources, DHS, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment, or Hostile Environments in the Workplace.

ACTION: The Merit System Board directed that this appeal be denied.

B-22 WILLIAM CURTIS, JR.

William Curtis, Jr., a Senior Parole Officer with the State Parole Board, appeals the determination of the Acting Deputy Executive Director, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace.

ACTION: The Merit System Board directed that this matter be held over.

B-23 MICHAEL FRANCESCO AND EDMUND MAWHINNEY

Michael Francesco, a Fire Fighter with the City of Atlantic City, and Edmund Mawhinney, a Fire Captain with the City of Atlantic City, petition the Merit System Board for interim relief of their pending disciplinary charges.

ACTION: The Merit System Board denied the requests but ordered the appointing authority to issue Final Notices of Disciplinary Action.

B-24 DOMINIC BARRETT

Dominic Barrett, represented by Kristofer B. Chiesa, Esq., petitions the Merit System Board for a retroactive date of appointment, seniority and salary step placement in regard to the decisions which restored his name to the eligible list for Fire Fighter (M2013A), City of Camden.

ACTION: The Merit System Board denied the request.

B-25 JOHN LANCE

John Lance, a former Police Officer with the City of Camden, represented by Michael D. Miller, Esq., requests a hearing regarding his removal from employment, effective January 24, 2006.

ACTION: The Merit System Board denied the request.

B-26 JOHN RAGAN

John Ragan, a former Police Chief with the Borough of Woodlynne, appeals the abolishment of the Police Chief title as utilized by the Borough of Woodlynne.

ACTION: The Merit System Board directed that this appeal be denied.

B-27 VINCENT W. SURACE

Vincent W. Surace, represented by Edward J. Nolan, Esq., petitions the Merit System Board for enforcement of the decision rendered in *In the Matter of Vincent W. Surace, Police Officer (S9999D), Borough of Fort Lee* (MSB decided, June 7, 2006), in which the Board concluded that the appellant was psychologically fit to perform the duties of a Police Officer and ordered his appointment. The Borough of Fort Lee, represented by Steven Mannion, Esq., petitions the Board for a stay of that decision, pending its appeal to the Superior Court, Appellate Division.

ACTION: The Merit System Board granted the request for enforcement, but denied the request for a stay.

B-28 CUSTOMER SERVICE REPRESENTATIVE (M0926G), TOWNSHIP OF VERNON

The Township of Vernon requests reconsideration of that part of the decision rendered on June 21, 2006 by the Merit System Board in *In the Matter of Customer Service Representative (M0926G), Township of Vernon*, which assessed costs of the selection process in the amount of \$2,048.

ACTION: The Merit System Board denied the request.

B-29 FRANK AMBROSE AND CAROLE TRAKIMAS

Robert Ellis, Director of Welfare, Camden County Board of Social Services, on behalf of Frank Ambrose and Carole Trakimas, appeals the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the promotional examination for Deputy Director of Welfare (PC1208G), Camden County Board of Social Services.

ACTION: The Merit System Board directed that these appeals be granted.

B-30 ADEYOYIN H. ASIMOLOWO, ET AL.

Adeyoyin H. Asimolowo, Lissy J. Kurian and Ruchi Srivastava appeal the determinations of the Division of Selection Services which found that they did not meet the requirement for the promotional examination for Quality Assurance Specialist, Health Services (PS7896K), Greystone Park Psychiatric Hospital, Department of Human Services.

ACTION: The Merit System Board directed that these appeals be denied.

B-31 VIRGINIA BONNETT AND ELAINE HARM

The appointing authority appeals the determinations of the Division of Selection Services that Virginia Bonnett and Elaine Harm did not meet the experience requirements for the promotional examination for Secretarial Assistant 1 (Non-Stenographic) (PS4360J), Ramapo College.

ACTION: The Merit System Board directed that these appeals be denied.

B-32 GINA BROD-VINICK, ET AL.

Gina Brod-Vinick, Harold Moeller, and Donna Rook appeal the determinations of the Division of Selection Services which found that they were below the minimum requirements in experience for the open competitive examination for Program Development Specialist 1 (S0484G), Division of Mental Health Services, Department of Human Services.

ACTION: The Merit System Board directed that these appeals be granted.

B-33 SYLVIA CARTER, ET AL.

Sylvia Carter, Matthew Daher, Joseph Ndubuisi, Yvonne Stratton, and Donna Shahpazian appeal the determination of the Division of Selection Services which found that they did not meet the experience requirement for the open competitive examination for Behavior Modification Program Technician (S0511H), Department of Human Services.

ACTION: The Merit System Board directed that these appeals be denied.

B-34 CATHLEEN CATALANO AND DIANE HARDEN

Cathleen Catalano and Diane Harden appeal the determination of the Division of Selection Services which found that they were below the minimum requirements in experience for the promotional examination for Senior Training Technician (PS8129K), Woodbine Developmental Center.

ACTION: The Merit System Board directed that these appeals be granted.

B-35 REBECCA DICKERSON-JOHNSON, ET AL.

Rebecca Dickerson-Johnson, Julie McQuarry, and Marylou Peters appeal the determination of the Division of Selection Services which found that, per the substitution clause for education, they were below the minimum requirements in experience for the promotional examination for Social Worker (PC0165H), Burlington County Board of Social Services.

ACTION: The Merit System Board directed that this matter be held over.

B-36 THOMAS FLOUNDERS

Thomas Flounders appeals the determination of the Division of Selection Services that he was below the minimum requirements in experience for the open competitive examination for Counselor, Juvenile Family Crisis Intervention (C1321H0, Cape May County.

ACTION: The Merit System Board directed that this appeal be denied.

B-37 ANTHONY GOWERS

Anthony Gowers appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Administrative Analyst 1, Data Processing (PS97521N), Division of Disability Determinations, Department of Labor and Workforce Development.

ACTION: The Merit System Board directed that this appeal be granted.

B-38 TENA GRIGGS

The Department of Agriculture appeals the determination of the Division of Selection Services that Tena Griggs did not meet the education and experience requirements for the promotional examination for Senior Fiscal Analyst (PS7514A), Department of Agriculture.

ACTION: The Merit System Board directed that this appeal be denied.

B-39 ROSELLA HARRIS AND WANDER T. RICHARDSON

Rosella Harris and Wander T. Richardson appeal the determinations of the Division of Selection Services which found that, per the substitution clause for education, they did not meet the experience requirements for the Personnel Assistant 4 (PS66282P), Division of Law, Department of Law and Public Safety promotional examination.

ACTION: The Merit System Board directed that these appeals be denied.

B-40 JOHN KOBIELA, JR.

John Kobiela, Jr., appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Contract Administrator 1 (PS7951K), Division of Youth and Family Services, Department of Children and Families.

ACTION: The Merit System Board directed that this appeal be granted.

B-41 LORRAINE MENDOZA

Lorraine Mendoza appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Contract Administrator 1 (PS7951K), Division of Youth and Family Services, Department of Children and Families.

ACTION: The Merit System Board directed that this appeal be granted.

B-42 BILLIE JO PECK

Billie Jo Peck appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Supervising Clerk Typist (PC1686G), Salem County.

ACTION: The Merit System Board directed that this appeal be granted.

B-43 FRANK RECANATI

Frank Recanati appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the open competitive examination for Director of Inspections (M6237H), Borough of East Rutherford.

ACTION: The Merit System Board directed that this appeal be denied.

B-44 HAROLD SAGER

Harold Sager, represented by Tom Bruno, Staff Representative, Communications Workers of America, Local 1040, appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Public Works Superintendent (PM1588G), Pemberton Township.

ACTION: The Merit System Board directed that this appeal be granted.

B-45 SANDRA SANTIAGO-PANTON

Sandra Santiago-Panton appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Family Service Specialist (PS6208K), Division of Family Development, Department of Human Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-46 MICHAEL SCARDINO

Michael Scardino appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the open competitive examination for Fire Code Specialist (S9323G), Department of Community Affairs.

ACTION: The Merit System Board directed that this appeal be denied.

B-47 BETTY SEWELL

Betty Sewell appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Deputy Director of Welfare (PC1208G), Camden County Board of Social Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-48 DONNA M. STUBBLEFIELD

Donna M. Stubblefield appeals the determination of the Division of Selection Services that she did not meet the education and experience requirements for the promotional examination for Administrative Analyst 3 (PS6393K), Department of Children and Families.

ACTION: The Merit System Board directed that this appeal be denied.

B-49 JESSIE SURILLO-ROJAS

Jessie Surillo-Rojas appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the open competitive examination for Program Development Specialist 1 (S0484G), Division of Mental Health Services, Department of Human Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-50 WILLIAM DILORENZO III

William DiLorenzo III appeals his score for the oral portion of the examination for first level Fire Captain (PM3508F), Atlantic City.

ACTION: The Merit System Board directed that this appeal be denied.

B-51 ANTHONY INGENITO, Jr.

Anthony Ingenito, Jr. appeals his score for the oral portion of the examination for the first level Fire Captain (PM3508F), Atlantic City.

ACTION: The Merit System Board directed that the score for the oral communication component of the Evolving scenario be changed from 4.5 to 5.0 and directed that the remainder of the appeal be denied.

B-52 LEDFORD MACK

Ledford Mack appeals his score for the oral portion of the examination for the first level Fire Captain (PM3508F), Atlantic City.

ACTION: The Merit System Board directed that this appeal be denied.

B-53 GARY RZEMYK

Gary Rzemyk appeals his score for the oral portion of the examination for the first level Fire Captain (PM3508F), Atlantic City.

ACTION: The Merit System Board directed that this appeal be denied.

B-54 PAUL SMITH

Paul Smith appeals his score for the oral portion of the examination for the first level Fire Captain (PM3508F), Atlantic City.

ACTION: The Merit System Board directed that this appeal be denied.

B-55 ADRIAN WILSON

Adrian Wilson, represented by Michael Prigoff, Esq., appeals his score for the oral portion of the examination for the first level Fire Captain (PM3513F), Atlantic City.

ACTION: The Merit System Board directed that this appeal be denied.

B-56 NORMAN WILSON

Norman Wilson appeals his score for the oral portion of the examination for the first level Fire Captain (PM3508F), Atlantic City.

ACTION: The Merit System Board directed that this appeal be denied.

B-57 CHRISTOPHER BAKER

Christopher Baker appeals his score for the oral portion of the examination for the first level Fire Captain (PM3509F), Camden City.

ACTION: The Merit System Board directed that this appeal be denied.

B-58 CHRISTOPHER EDWARDS

Christopher Edwards appeals his score for the oral portion of the examination for the first level Fire Captain (PM3509F), Camden City.

ACTION: The Merit System Board directed that this appeal be denied.

B-59 RICHARD JOHNSTON

Richard Johnston, represented by Lewis Wetzel, Esq., appeals his score from the oral portion of the examination for the first level Fire Captain (PM3509F), Camden City.

ACTION: The Merit System Board directed that oral communication component of the Evolving scenario be changed from 3 to 4 and directed that the remainder of the appeal be denied.

B-60 SAMUEL MUNOZ

Samuel Munoz appeals his score for the oral portion of the examination for the first level Fire Captain (PM3509F), Camden City.

ACTION: The Merit System Board directed that this appeal be denied.

B-61 KEVIN SEYBOLD

Kevin Seybold appeals his score for the oral portion of the examination for the first level Fire Captain (PM3509F), Camden City.

ACTION: The Merit System Board directed that this appeal be denied.

B-62 JOSEPH TULL, SR.

Joseph Tull, Sr. appeals his score for the oral portion of the examination for the first level Fire Captain (PM3509F), Camden City.

ACTION: The Merit System Board directed that this appeal be denied.

B-63 TERRI LINGHAM-MUHAMMAD

Terri Lingham-Muhammad appeals her failing test score and requests a make-up for the open competitive examination for Superintendent of Recreation (M4110G), City of Atlantic City.

ACTION: The Merit System Board directed that this appeal be denied.

B-64 ROBERT TAINO

Robert Taino appeals his score on the examination for Police Inspector (PM3517G), Jersey City.

ACTION: The Merit System Board directed that this appeal be denied.

B-65 THOMAS ADAMO, ET AL.

Thomas Adamo, Nick Casasanta, Martin Elphick, Natalie Lazar, William O'Donnell and George Rosenthal appeal the promotional examination for Sheriff's Officer Sergeant (PC2678G), Passaic County.

ACTION: The Merit System Board directed that these appeals be denied.

B-66 ANTHONY DEMEO, ET AL.

Anthony DeMeo, Joseph Hefferon and Michael McGuire (PC2672G), Essex County; and Mark Muscatello (PC2675G), Union County; appeal the promotional examination for Sheriff's Officer Lieutenant (various jurisdictions).

ACTION: The Merit System Board directed that these appeals be denied.

B-67 JOHN KERNUSZ AND THOMAS VERRONE

John Kernusz (PC2669G), Sussex County; and Thomas Verrone (PC2668G), Passaic County; appeal the promotional examination for County Correction Sergeant (various jurisdictions).

ACTION: The Merit System Board directed that these appeals be denied.

B-68 MARLA GOLDEN

Marla Golden appeals the determination of the Division of Selection Services which denied her request for a make-up for the open competitive examination for Analyst 1, Health Care Facilities (S3046G), Department of Human Services.

ACTION: The Merit System Board directed that this appeal be denied.

VOTE:	Rolando Torres, Jr.	(Yes)
	Flavella Branham	(Yes)
	John Currie	(Yes)
	Margaret E. L. Howard	(Yes)
	Robert J. Long	(No)

B-69 POLICE LIEUTENANT (PM2537H), CITY OF HOBOKEN

The City of Hoboken, represented by Sean D. Dias, Esq., appeals the determination of the Division of Selection Services, which rescinded the amended promotional announcement for Police Lieutenant (PM2537H), City of Hoboken.

ACTION: The Merit System Board directed that this appeal be denied.

B-70 RECENT COURT DECISIONS

Summaries of recent court decisions involving Merit System Board and Department of Personnel determinations for *In the Matter of Suzanne Butler, Police Department, Township of Scotch Plains* (Appellate Division, 6/16/06); *In the Matter of Artella Richardson* (Appellate Division, decided 6/22/06); *In the Matter of Michael Huchko, Borough of Carteret* (Appellate Division, decided 7/12/06); *In the Matter of Keith D. Arch* (Appellate Division, decided 7/18/06); *In the Matter of Joseph Branin, Police Officer (S9999D), Highlands Borough*, 386 N.J.Super. 512 (App. Div. 2006); *In the Matter of Roberta Farber, City of Paterson* (Appellate Division, decided 7/18/06); *In the Matter of John Sullivan* (Appellate Division, decided 7/19/06); *In the Matter of Arthur Monto and William Karasik, Sparta Township* (Appellate Division, decided 7/24/06); *In the Matter of John Varalli* (Appellate Division, decided 7/27/06); *In the Matter of Raymond Skop, Police Officer (S9999D), City of Jersey City* (Appellate Division, decided 7/28/06) are submitted for the Board's review

ACTION: The Merit System Board noted the decisions.

B-71 MERIT SYSTEM BOARD MINUTES

The minutes of the Merit System Board meeting for August 23, 2006 are submitted for adoption.

ACTION: The Merit System Board adopted the minutes.

B-72 KHADIHHA BLACKSON, ET AL.

The appeals of Kahadihha Blackson, Albert Coston, Robyn Fisher, John Germino, Gim-Hin Lim, Jeffrey Merkel, Mozella Smith, Pete Wickman and Kimberly Imes of the good faith of their layoffs from the City of Camden Housing Authority (HACC), effective October 8, 1998 for reasons of economy and efficiency, were heard by Administrative Law Judge Joseph Lavery (ALJ), who rendered his initial decision on July 18, 2006. At its meeting on August 23, 2006, the Merit System Board adopted the ALJ's recommendation to uphold the layoffs. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

B-73 JOSEPH DULIO

The appeal of Joseph Dulio, a Police Officer with the Borough of Stanhope, regarding his removal, effective April 4, 2005, on charges, was before Administrative Law Judge (ALJ) Barry N. Frank, who rendered his initial decision on April 28, 2006. At its meeting on August 23, 2006, the Merit System Board did not adopt the ALJ's recommendation to grant the appointing authority's motion for summary decision and uphold the removal. Rather, the Board ordered that the matter be remanded to the Office of Administrative Law for further proceedings. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

B-74 RONALD STUIISO

The appeal of Ronald Stuiso, an Assistant Public Works Superintendent with the Borough of Rutherford, of his removal, effective July 13, 2004 on charges, was heard by Administrative Law Judge Leslie Z. Celentano (ALJ), who rendered her initial decision on June 7, 2006. At its meeting on August 23, 2006, the Merit System Board adopted the ALJ's recommendation to uphold the appellant's removal. The proposed final decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the final decision.

VOTE:	Rolando Torres, Jr.	(Yes)
	Flavella Branham	(Yes)
	John Currie	(Yes)
	Margaret E. L. Howard	(Yes)
	Robert J. Long	(No)

B-75 MALIKA Y. HALE

Malika Y. Hale appeals the administration and the validity of the promotional examinations for Customer Service Information Specialist (PS5623T) and Records Technician 2, Motor Vehicles (PS5627T), Motor Vehicle Commission.

ACTION: The Merit System Board directed that these appeals be denied.

There being no further business before the Merit System Board, the meeting was adjourned to convene on Wednesday, September 20, 2006 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

ROLANDO TORRES, JR.
COMMISSIONER
MERIT SYSTEM BOARD